



8-16-04
PATENT TRADEMARK OFFICE
DIVISION

DAC
AS

EXPRESS MAIL NO.:
Deposited On:

EV 373444768 US
September 15, 2004

PATENT

CC

2004 SEP 17 PM 3:38

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	10/667,108	Confirmation No.:
Applicant(s)	:	Steven A. Root and Michael R. Root	RECEIVED
Filed	:	09/19/2003	SEP 21 2004
TC/A.U.	:	2857	OFFICE OF PETITIONS
Examiner	:	Donald E. McElheny Jr.	
Title	:	INTERACTIVE ADVISORY SYSTEM	
Docket No.	:	8379.006	
Customer No.	:	30589	

MS Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTIFICATION OF ERROR IN PAYMENT OF FEE(S) AS SMALL ENTITY
(37 C.F.R. § 1.28(c))

Erroneous Filing of Small Entity Statement

1. On September 19, 2003, a small entity assertion was erroneously filed in this Application patent
2. This assertion of small entity status in this application and the payment of fee(s) as a small entity was made in good faith.
3. It has been discovered that such status as a small entity was established in error.

Itemization of the Fee(s) Erroneously Paid as Small Entity

4.	<u>FEE(S) ERRONEOUSLY PAID AS A SMALL ENTITY</u>	<u>FEE ACTUALLY PAID AS A SMALL ENTITY</u>	<u>DEFICIENCY OWED</u>
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[X] Filing fee paid on <u>September 19, 2003.</u>	<u>\$375.00</u>	<u>\$375.00</u>
[X] Fee for excess claims (over 20) paid on <u>September 19, 2003</u>	<u>\$162.00</u>	<u>\$162.00</u>
[X] Fee for independent (over 3) claims paid on <u>September 19, 2003</u>	<u>\$84.00</u>	<u>\$84.00</u>
[] Extension of time fee paid on _____.	<u>\$ _____</u>	<u>\$ _____</u>
[] The issue fee paid on _____.	<u>\$ _____</u>	<u>\$ _____</u>
[] _____ maintenance fee paid on _____	<u>\$ _____</u>	<u>\$ _____</u>
[X] Other: Terminal Disclaimer fee paid on paid on <u>June 23, 2004</u>	<u>\$55.00</u>	<u>\$55.00</u>
Total deficiency owed:		<u>\$676.00</u>

Respectfully submitted,

Marc Brockhaus
 Marc A. Brockhaus
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Attorney for Applicant(s)



RECEIVED

SEP 21 2004

OFFICE OF PETITIONS

Express Mail No. EV 373444768 US
Deposited on: September 15, 2004

PTO/SB/21 (08-00)
Approved for use through 10/31/2002, OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

		Application Number	10/667,108
		Filing Date	09/19/2003
		First Named Inventor	Steven A. Root
		Group Art Unit	2857
		Examiner Name	Donald E. McElheny Jr.
Total Number of Pages in This Submission	4	Attorney Docket Number	8379.006

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): See remarks below:
<input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)		
<input type="checkbox"/> Extension of Time Request		
<input type="checkbox"/> Express Abandonment Request		
<input type="checkbox"/> Information Disclosure Statement		
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<p>Remarks</p> <p>1. Fee Transmittal (1 pg); 2. Transmittal Form (1 pg); 3. Credit Card Payment Form (1pg); 4. Notification of Error in Payment of Fees(s) as Small Entity 5. Postcard</p>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

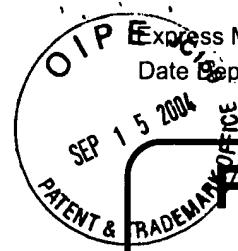
Firm or Individual name	DUNLAP, CODDING & ROGERS, P.C., Customer Number 30589 P. O. Box 16370, Oklahoma City, Oklahoma 73113, Marc A. Brockhaus	
Signature		
Date	9-15-2004	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail or U.S. Express
mail no. EV 373444768 US in an envelope addressed to the address below on this date: September 15, 2004

Typed or printed name	Marc A. Brockhaus, Reg. No. 40,923	
Signature		Date 9-15-2004

SEND TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



EV 373444768 US

Express Mail No.:

09/15/2004

Date Deposited:

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEET TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 676

Complete if Known

Application Number	10/667.108
Filing Date	09/19/2003
First Named Inventor	Steven A. Root
Examiner Name	Donald E. McElheny Jr.
Art Unit	2857
Attorney Docket No.	8379.006

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	
Deposit Account Name	

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee either to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$ 0			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
					\$0
					\$0
					\$0

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 0		

** or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) Deficiency payment			676

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 676

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Marc A. Brockhaus	Registration No. (Attorney/Agent)	40,923	Telephone (405) 607-8600
Signature	<i>Marc Brockhaus</i>		Date	09/15/2004

 Mail Stop Petitions
 Commissioner for Patents
 PO Box 1450, Alexandria, VA 22313-1450